

Attachments

Model Ordinances
Draft Generic Environmental Impact Statement
Final Environmental Impact Statement

Town of Greece
Lake Ontario Cluster District

A. Purpose and intent.

The Town of Greece includes a significant amount of public land along the Lake Ontario shoreline, associated with the Braddock Bay Fish and Wildlife Management Area (BBFWMA). It is the Town's intent to maintain a relatively low density on as much as possible of the remaining developable land adjacent to the Braddock Bay Fish and Wildlife Management Area. Specifically, the area in the far northwest corner of the Town of Greece, between Hogan Point Road and the Lake Ontario State Parkway contains large tracts of relatively undeveloped land, as well as the mouth of Salmon Creek.

The Lake Ontario Cluster (LOC) District has been designed to protect Salmon Creek and other sensitive ecological areas in this area from the adverse effects of development. The purpose of the regulations is to preserve open space and wildlife habitat, maintain an undeveloped corridor along Salmon Creek, protect views, prevent erosion and sedimentation, decrease the length of services (roads, utilities), and maintain a relatively low density of development in the area.

B. Applicability.

This section shall only apply to subdivisions of land parcels, within the LOC District, containing an area of appropriate size and dimension to accommodate no less than four (4) lots in accordance with the Town Zoning Law. The boundaries of the LOC District shall be delineated on the official Town of Greece Zoning Map.

C. Development regulations.

(1) Lot count.

The permitted number of dwelling units may not exceed the number which could be permitted under the SF1 District, taking into consideration natural and man-made constraints, if the parcel(s) were subdivided into lots conforming to all the normally applicable requirements of this chapter, the Monroe County Department of Health regulations, and all other applicable laws and standards. The basis for this determination will be a conventional subdivision sketch layout for the subject parcel(s) and any other information as may be required by the Planning Board.

(2) Open Space.

- (a) At least forty percent (40%) of the total developable area being subdivided shall be reserved as permanently protected open space. There shall be no open space land within a cluster subdivision that is not either governed by an easement or part of a parcel held by the Town, a designated State agency, or a qualified not-for-profit conservation organization. The following standards shall be applied to open space within a cluster subdivision:

- [1] Areas of natural significance, including floodplains, wetlands, important plant and animal habitats and slopes of fifteen percent (15%) and greater, shall be incorporated to the greatest extent possible, in the dedicated open space area.
 - [2] The Salmon Creek buffer zone [see sub-section C(7)] shall be incorporated to the greatest extent possible in the dedicated open space area.
 - [3] Open space resulting from a cluster subdivision shall be connected and integral to existing public land, recreation areas or trail systems, where possible.
 - [4] Open space shall be designed so that it is easily accessible and desirable for all residents of the subdivision. To the extent practicable, every homeowner shall have direct access to the open space.
- (b) Any land which is designated as open space as part of the cluster subdivision shall remain dedicated to said purpose in perpetuity and shall be suitably encumbered as agreed upon by the Town Board. Said encumbrance may include, but shall not be limited to:
- [1] Conveyance of said land to the Town of Greece; New York State Office of Parks, Recreation and Historic Preservation; the New York State Department of Environmental Conservation; or a qualified not-for-profit conservation organization.
 - [2] Conveyance of a conservation or preservation easement to one of the above-listed organizations, which is set forth in an appropriate document and recorded in the office of the Monroe County Clerk.
- (3) Site design.

The cluster subdivision will allow parcels of land to be divided into lots that consist of different bulk/lot dimensions than a conventional subdivision. Therefore, the Planning Board shall review specific design criteria for the cluster development sites such as the proposed layout of residential structures, paved areas (roads, driveways, sidewalks), landscaping, open space areas and integration of the proposed cluster development into the natural topography and contour lines. In order to facilitate the Planning Board's review, two (2) concept plans, one showing conventional development of the tract(s) and one showing the proposed open space cluster development, shall be provided to the Planning Board. The site design criteria shall be reviewed by the Planning Board at the preliminary plat phase of the subdivision process.

The lots shall be laid out so that dwelling units will be located in a manner consistent with the purposes of this section. The following guidelines (listed in order of general priority) should be applied, with lots to be laid out in the following manner:

- (a) To preserve, as part of the dedicated open space, natural areas and wildlife habitat which are contiguous with existing public land, especially land contained within the Braddock Bay Fish and Wildlife Management Area.

- (b) To maintain an undeveloped corridor of natural vegetation in the Salmon Creek buffer zone [see sub-section C(7)] as part of the dedicated open space required by the cluster subdivision, such that any development or property improvements are setback at least 200 feet from the edge of Salmon Creek.
- (c) To arrange lots in locations least likely to block or interrupt scenic vistas as seen from the public roadway(s) or other public vantage points.
- (d) To minimize the area which will require public water and sanitary sewer service as well as the length of water and sewer infrastructure.
- (e) To minimize the number of driveways with access to existing roads.
- (f) To avoid the most fertile soils for agricultural uses, and in a manner which maximizes the usable area remaining for such agricultural uses.
- (g) In cluster developments exceeding twenty (20) dwelling units, the Planning Board shall consider the layout of smaller groupings, each having some open space immediately surrounding it, so that large concentrations of units with little or no differentiation can be avoided and so that cluster development will be more compatible with the neighborhood in which it is located.

(4) Permitted principal and accessory uses.

All of the permitted principal and accessory uses which are specified in § 211-9A and B, respectively. [Amended 3-17-1992 by L.L. No. 1-1992; 10-4-1994]

(5) Special permit uses.

[Amended 3-17-1992 by L.L. No. 1-1992] The following special permit uses may be permitted upon application to and with the approval of the Board which has jurisdiction pursuant to § 211-9C.

(a) Town Board jurisdiction.

- [1] Day-care centers or school-age child-care centers. [Amended 10-4-1994]
- [2] Adult day-care centers.
- [3] Adult-care facilities.
- [4] Nursing homes or health-related facilities.
- [5] Churches or other places of worship.
- [6] Private or parochial schools.
- [7] Charitable or civic organizations.
- [8] Indoor or outdoor recreation facilities operated for nonprofit purposes.
- [9] Cemeteries.

(b) Board of Zoning Appeals jurisdiction.

- [1] Tourist homes
- [2] Major home occupations

- (6) Area, setback, height, lot coverage, parking, fence and sign regulations.

All regulations established for the SF2 District shall apply, with the following exceptions, for which there are no requirements:

- (a) Minimum lot area, lot width and lot depth.
- (b) Maximum lot coverage.

While area is currently SF1, the less restrictive setbacks and other regulations contained in SF2 are required here, in order to permit clustering to occur.

(7) Salmon Creek Buffer Zone

No person shall conduct any development (property improvement) within the buffer zone along Salmon Creek, as defined below, unless a development permit has been obtained pursuant to the requirements of this article.

- (a) The buffer zone is defined as the area along Salmon Creek, 200 feet inland from the creek edge with the water surface defined at elevation _____, between the centerline of Manitou Road and the legal boundary of the Braddock Bay Fish and Wildlife Management Area. Areas of designated wetlands (as defined by Section 404 of the federal Clean Water Act of 1977, and 6NYCRR 662 Article 24) shall be protected as indicated under State and Federal laws, however an additional buffer area of one hundred (100) feet shall be required.
- (b) Any applicant to undertake a regulated activity within the Salmon Creek buffer zone shall be required to adequately demonstrate to the Planning Board that the proposed activity will in no way at present or at any time in the future adversely affect the following:
 - [1] Soil stability
 - [2] Groundwater quality
 - [3] Velocity of surface water runoff
 - [4] Quality of surface water runoff
 - [5] Existing drainage systems
 - [6] Natural characteristics of the watercourse
 - [7] Wetlands quality and quantity
 - [8] Degradation of the natural habitat (plant and animal)
 - [9] Downstream water quality
- (c) In granting, denying or conditioning any application for development within the Salmon Creek buffer zone, the Planning Board shall consider the effect that the proposed regulated activity will have on public health, safety and welfare and the protection and enhancement of the LOC District.

(8) Additional standards.

In addition to the bulk regulations above, the Planning Board shall ensure that:

- (a) Common driveway access may be provided to the extent practicable and that maintenance is provided through a legally binding agreement. No more than four (4) units may take access from a single common driveway.
- (b) Water supply, sewage disposal and stormwater management facilities shall be designed by a licensed engineer in accordance with the requirements of the Town of Greece and the Monroe County Health Department. Underground facilities may be located in areas to be set aside as permanent open space.
- (c) Erosion and Sedimentation Control
 - [1] Erosion and filtration controls shall be installed before and during construction in the LOC District, consistent with the existing Town Code and New York State Guidelines for urban erosion and sediment control (most recent edition).
 - [2] All disturbed areas within the Salmon Creek buffer zone shall be protected from erosion either by mulch or hydroseeding within two weeks of disturbance.

D. Review of subdivisions and changes of lot lines.

Subdivision review shall be conducted by the Planning Board in accordance with the procedures established in § 211-37B(1). Review of lot line changes shall be conducted by an authorized representative of the Planning Board in accordance with the procedures established in § 211-37B(2).

Town of Greece
Canal Corridor Overlay (CCO) District

A. Purpose and intent.

The Town intends to protect a scenic corridor along the Erie Canal, in accordance with the Local Waterfront Revitalization Plan (LWRP) and the Town of Greece Canal Plan, as well as regional and State Canal plans and goals. The purpose of the district is to maintain a green, undeveloped corridor along most of the Town's Canal waterfront and to provide a consistent level of protection of the visual, environmental and historic resources within this corridor.

Existing vegetation along the Canal is effective in creating a secluded natural experience for boaters, hikers, bikers and other Canal users. In addition, a vegetative buffer reduces the velocity and volume of stormwater runoff entering the Canal, increases infiltration, decreases erosion, and protects water quality. Vegetation filters out pollutants, including nutrients from fertilizers and agricultural pesticides.

The Canal Corridor Overlay (CCO) District is "overlaid" onto existing zoning districts. All provisions of the underlying districts remain in full force, except where provisions of the CCO District differ. In such cases, the more restrictive provision shall apply. The principal control mechanisms of the CCO are construction setbacks from the waterline, restrictions on the removal of natural vegetation within an established buffer zone adjacent to the water, and performance standards governing land use activities within the District.

The specific purposes of this district include the following:

- (1) To preserve natural, scenic, and historic values along the Erie Canal.
- (2) To preserve woodlands, wetlands, and other greenspace.
- (3) To regulate uses and structures along the Erie Canal to avoid increased erosion and sedimentation.
- (4) To encourage compatible land uses along the Erie Canal.
- (5) To recognize areas of significant environmental sensitivity that should not be intensely developed.
- (6) To allow reasonable uses of lands, while directing more intense development to the most appropriate areas of the community.

B. Permitted uses

The underlying zoning district determines the permitted principal uses, accessory uses and special permit uses within the Canal Corridor Overlay District. Underlying districts within the CCO District include General Industrial, Restricted Business, Professional Business, Residential, and Public Land.

The following uses, however, are specifically prohibited within the CCO District:

- (1) Junkyards and solid waste disposal or processing facility.
- (2) Mineral extraction or surface mining.
- (3) Freight or truck terminals.
- (4) Bulk fuel storage.
- (5) Bulk industrial chemical storage or processing.
- (6) Uses which, without restrictions or safeguards, may be noxious or injurious due to the production or emission of dust, smoke, odor, gases, fumes, solid or liquid waste, noise, light, vibration, or nuclear or electromagnetic radiation or due to the likelihood of injury to persons or damage to property if an accident occurs.

C. Development regulations.

- (1) Setback requirements.
 - (a) The minimum setback from the high water mark of the Canal shall be one hundred (100) feet for principal and accessory buildings.
 - b) Structures demonstrated to be directly related to Canal business/use may be authorized within the required setback distance, however, the Planning Board shall have the authority to impose additional conditions as may be warranted.
- (2) Natural vegetation strip.

A natural vegetation strip shall be maintained on each parcel or lot between the normal high water mark of the Canal and a point seventy-five (75) feet from and perpendicular to the normal high water mark.

Removal of vegetation in the natural vegetation strip shall require a special permit in accordance with the following requirements.

- (a) No clearcutting shall be allowed.
- (b) One hundred percent (100%) of the vegetation strip may be selectively thinned as follows. No more than thirty-five percent (35%) of the number of trees six (6) inches in diameter at four and five-tenths (4.5) feet above the ground, or larger, shall be cut in any ten-year period. In second growth woodlands where there are relatively few trees of this diameter, no more than twenty-five percent (25%) of trees four (4) inches in diameter at 4.5 feet above the ground, or larger, shall be cut in any ten-year period. Additional trees may be removed if the applicant can demonstrate one (1) or more of the following conditions:
 - (1) It is clearly necessary for traffic safety.

- (2) It is clearly necessary for the development of an approved principal or accessory use or building, street, sidewalk, paved area, driveway, stormwater facility, utility or sewage system.
 - (3) It is within twenty-five (25) feet of the foundation of an approved structure.
 - (4) It is diseased, dead or poses a clear danger to a structure, utility or public improvement.
 - (5) It is related to agricultural activities; such as orchards or cultivation activities.
 - (c) Existing soil and organic matter shall not be altered or disturbed within the vegetation strip.
 - (d) No structures shall be permitted within the vegetation strip, with the exception of docks, boat ramps, pumphouses, pervious walkways, and elevated walkways which provide the property owner with reasonable access to the water. Park-related furnishings (benches, picnic tables, pavilions, refuse containers, etc.) and vehicular parking areas shall be permitted, if associated with public recreation areas or public access to the Canal.
 - (e) No unsightly, offensive, or potentially polluting material, including, but not limited to, lawn clippings, leaves, garbage, refuse containers, junk cars, junk appliances, or toxic materials, may be dumped or stored within the natural vegetation strip. The vegetation strip shall not contain commercial or industrial storage or display, manufacturing or processing activity, loading and unloading areas or vehicular parking areas.
 - (f) Where there is no pre-existing natural vegetation, developers shall provide vegetation which shall screen the proposed development from the towpath trail and the water. The width of this re-vegetated strip should be at least 50 feet from the high water mark of the Canal. The plant material should consist of indigenous trees and shrubs.
 - (g) Reasonable efforts shall be taken during construction to ensure that trees protected by this section are not accidentally injured or removed, including root compaction by equipment or change in grade level. The developer shall replace any protected trees which are destroyed or injured, with mature trees of similar diameter.
- (3) Protection of water quality.
- (a) Sub-surface disposal systems for septic wastes shall be located no less than one hundred (100) feet from the normal high water mark.
 - (b) No disturbance of existing wetlands located within the Canal corridor, unless appropriate mitigation measures are defined and approved.
 - (c) Sedimentation basins should be located between new development and the Canal.

- (4) Docks and water surface use.
 - (a) A maximum of one (1) boat slip per residence.
 - (b) Multiple boat slips may be clustered.
 - (c) Bulkhead docks or off-channel basins are preferred for permanent docking.

(5) Agricultural activities.

Soil shall not be tilled within fifty (50) feet of the high water mark of the Canal or within fifty (50) feet of direct tributaries to the Canal that are within the CCO District.

(6) Additional requirements and standards.

- (a) Parking, fences and signs shall not detract from water views and are subject to regulations contained in sub-sections 211-16, 211-17, and 211-18, respectively. The following signs are prohibited within three hundred (300) feet of the Canal:
 - (1) Billboards.
 - (2) Freestanding signs on-site with a total height of greater than twelve (12) feet above the surrounding average ground level or a sign area of greater than forty (40) square feet.
 - (3) Signs intended to be towed from one location to another.
- (b) Development shall not interfere with or in any way prohibit, hinder or discourage the public use of the Canal Trail. New developments shall provide opportunities for trail linkages between the Canal Trail and proposed pedestrian walkways.
- (c) When located adjacent to historic structures, new buildings shall reflect the architectural character of the existing historic structure.

D. Site plan and minor improvement plan.

Any proposed principal building or any proposed or expanded paved area larger than five thousand (5000) square feet that would be partially or entirely located within the Canal Corridor shall be submitted for review by the Planning Board. Site plan review shall be conducted in accordance with the procedures established in sub-section 211-37C(3). Minor improvement plan review shall be conducted by an authorized representative of the Planning Board in accordance with the procedures established in sub-section 211-37C(4).

Town of Greece
Business Waterfront (BW) District

A. Purpose and intent.

Some of the areas in the Town which are most viable for business and industrial use are located along the Erie Canal and the Lake Ontario shoreline. These waterfront areas also contain significant recreational, public access and open space resources, and the Town does not want to jeopardize the attractiveness or visitor-friendly nature of these areas. The purpose of the Business Waterfront (BW) District is to allow a mix of commercial and industrial uses which can take advantage of the proximity to waterfront locations, while, at the same time, providing public access, recreational opportunities, and tourist services in these locations.

B. Permitted principal and accessory uses.

- (1) All permitted principal and accessory uses specified for the Light Industrial (IL) District in Subsection 211-15(A), with the exception of antennas, antenna supports, and antenna towers, which are specified below as a special permit use.
- (2) Wholesale distribution centers, including transfer facilities.
- (3) Warehouses or storage facilities, including loading docks.
- (4) Manufacture, assembly or processing of other products not permitted in the IL District.
- (5) Tool and die shops.

Allows some of the IG uses but not all. Sort of halfway between the two. This might open up criticism that hard-core industrial space has once again been diminished.

- (2) All permitted principal and accessory uses specified for the General Business (BG) District in Subsection 211-13(C), however, residential uses shall not be permitted.

This still allows all service and retail uses, however, these may be appropriate next to offices or manufacturing facilities, and along waterfront areas. (eg. a small bakery or ice cream shop in a plaza near the Canal could service nearby office workers as well as Canal users.)

C. Special permit uses.

- (1) The following uses may be permitted upon application to and with the approval of the Town Board pursuant to subsection 211-3C(1):
 - (a) Antennas, antenna supports, and antenna towers in accordance with the regulations established in Subsection 211-33.

- (b) Energy generation facilities and customary related uses, including but not limited to aboveground high tension energy transmission lines, substations or maintenance, storage or repair facilities.
 - (c) Storage yards for construction materials and equipment, subject to the screening requirements for outdoor storage established in Section 211-15B(2)(c).
 - (2) The special permit uses specified for the General Business (BG) District in Subsection 211-15(C)(3), with the exception of outdoor storage of disabled, unlicensed, or dismantled vehicles.
- D. Development regulations.
- (1) Area, setback, lot coverage, parking, fence and sign regulations.
 - (a) Except as hereinafter provided, the building size, setback and lot coverage regulations established for the IG District shall apply to any proposed use which is a permitted principal, accessory or special permit use under the IG District. The minimum lot size shall be three (3) acres.
 - (b) Except as hereinafter provided, the lot size, building size, setback and lot coverage regulations established for the BG District shall apply to any proposed use which is a permitted principal, accessory or special permit use under the BG District.
 - (c) Setbacks for individual sites along the Erie Canal may vary depending upon such factors as:
 - [1] Adequate widths between buildings to accommodate pedestrianways for public access to the Canal.
 - [2] Variations in the width of State-owned land along the canal.
 - [3] The extent to which water-dependent uses need to be located adjacent to the waterway.
 - [4] Setbacks required by the Canal Overlay District.
 - (d) Parking, fences, signs, and refuse container enclosures shall not detract from water views and are subject to regulations are contained in subsections 211-16, 211-17, 211-18 and 211-24, respectively.
 - (2) Additional requirements and standards.
 - (a) Buildings located along the state-owned Canal pathway shall be required to have entrances which open onto the pathway.

- (b) Opportunities for trail linkages shall be established between proposed pedestrian pathways in new developments and the public land along the Lake Ontario shoreline or the Canal Trail.
- (c) Industrial and commercial development within the BW District should include public, residential, and/or employee amenities to enhance waterfront appreciation, recreation, enjoyment and use, as is reasonably practical.
- (d) Every principal use within the BW District shall have suitable open space, preferably located adjacent to waterfront or public land areas, if any. Such open space areas may include areas left in their natural state, landscaped areas, pedestrian walkways and trail linkages, exterior recreation areas, and planting islands within or adjacent to parking areas. Not less than ____% of the total lot area shall be maintained as open space accessible to the public

What percentage of open space would the Town like to see in the BW District? Does Canal Ponds have a required standard, which can be used as a starting point for consideration? Other suburban office parks we have worked with have typically varied between 20 and 35 percent.

- (e) Screening and landscaping shall be provided along all lot lines abutting a side or rear lot line of any residentially zoned or developed property in a manner which largely obscures the non-residential use and its operation from all points located on such residential lot when viewed from ground level.
- (f) Parking sufficient to meet the needs of each use shall be provided, in accordance with Section 211-16. For any parking lot which is required to provide a total of 20 spaces or more, additional or shared parking shall be provided to allow for public parking and access to waterfront areas, in accordance with one of the following schedules:
 - (1) an additional ten (10) percent of the total number of spaces shall be provided; or,
 - (2) the applicant shall demonstrate that the number of spaces required for the primary use will be sufficient to accommodate public parking for waterfront access.

E. Site plan and minor improvement plan.

Site plan review shall be conducted by the Planning Board in accordance with the procedures established in sub-section 211-37C(3). Minor improvement plan review shall be conducted by an authorized representative of the Planning Board in accordance with the procedures established in sub-section 211-37C(4).

**Town of Greece
Waterfront Development (WD) District**

A. Purpose and intent.

In accordance with the Town's Local Waterfront Revitalization Plan (LWRP) and the Town of Greece Canal Plan, the Waterfront Development (WD) District is established to provide unique opportunities for the development and maintenance of water-oriented uses within certain areas adjacent to the Erie Canal. The WD District permits certain recreational, open space, business and residential uses which will generally benefit from and enhance the unique aesthetic, recreational, environmental and historic qualities of the waterfront areas. This district is also designed to protect unique and sensitive environmental and historic features that exist along the shoreline, to promote and encourage public access to the shoreline and to encourage appropriate water-oriented recreational uses along the shoreline.

The specific purposes of this district include the following:

- (1) To provide for a desirable mix of water-dependent and water-enhanced recreational opportunities, business uses and residential uses which complement each other and take advantage of the unique locational characteristics of the Erie Canal.
- (2) To promote the most desirable and appropriate use of land and building development based upon consideration of land and soil characteristics and other natural features, environmental constraints, neighborhood characteristics and overall community needs, while also protecting the character of the district, conserving the value of land and buildings, and protecting the tax revenue base.
- (3) To ensure that development and land or water use activities occur in harmony with the environmental and ecological systems that exist along the Erie Canal and in locations identified in the LWRP and Greece Canal Plan.
- (4) To encourage flexibility of design, preservation of unique environmental and historic features and maintenance of the aesthetic quality of waterfront areas by establishing appropriate design techniques in keeping with the Canal's historic nature, thereby promoting a more creative and imaginative design for development of waterfront areas than is normally possible under conventional zoning districts.
- (5) To promote the maintenance and/or extension of public access to the Canal in a manner which is compatible with the primary purpose of the proposed development or activity.
- (6) To promote opportunities for increased tourism.
- (7) To encourage appropriate and safe water surface use on the Canal.

- (8) To preserve, to the maximum extent practicable, the existing vegetation and natural features along the Erie Canal and to prevent, as much as possible, erosion, sedimentation and problems with drainage both during and after construction.
- (9) To encourage coordination with public agencies and private organizations involved with waterfront planning or waterfront-related development.

B. Permitted principal uses.

(1) Recreational uses:

- (a) Boat slips and docks.
- (b) Temporary boat docking facilities.
- (c) Cartop boat launching facilities.
- (d) Parks, picnic areas and playgrounds.
- (e) Other water-dependent uses.

(2) Business uses:

- (a) Retail stores, restaurants and other water-enhanced uses.
- (b) Specialized service shops oriented to and/or supportive of water-related activities.
- (c) Boat rental.
- (d) Arts and crafts studios.
- (e) Upper floor offices (above ground floor retail uses).
- (f) Tourist homes and inns.
- (g) Snack bars and outdoor cafes.

(3) Residential uses.

- (a) Apartments and townhouses.

Apartment and townhouse uses shall not exceed more than twenty percent (20%) of the total acreage of land within the WD District. No more than ten percent (10%) of development along Canal frontage shall be devoted to apartment or townhouse uses.

- (b) Upper-floor residences (above ground-floor retail uses).

- (4) Combinations of the permitted uses listed above, based on a determination by the Town Board, that such combinations meet the purposes and intent of the Waterfront Development District.

C. Special permit uses.

The following uses may be permitted upon application to and with the approval of the Town Board pursuant to sub-section 211-37C(1):

- (1) Tour boat operations.
- (2) Commercial parking lots.

D. Accessory uses.

The following accessory uses are permitted in the WD District, provided that they are incidental to a permitted use listed in Section B above:

- (1) Minor home occupations in accordance with the regulations established in sub-section 211-21.
- (2) Storage structures for nonresidential uses (i.e. rental boat storage), not to exceed a height of sixteen (16) feet, shall be screened from view by neighboring properties and water bodies with the use of vegetation, fencing or berming, or any combination thereof.
- (3) Sheds, private garages or other normal residential accessory structures, provided that they are not located on the side of the property that fronts on the Canal.

E. Development regulations.

- (1) Lot size.
 - (a) The required lot size shall be not less than two times the square footage of the first (ground) floor of the principal building.
 - (b) The Planning Board shall determine the required lot size. This determination shall be based on the following considerations: the amount of land area necessary to adequately accommodate the proposed principal and accessory uses; the relative intensity of the proposed land use; and the need to protect or buffer the use from sensitive environmental areas, significant historic or archaeological areas, scenic views or vistas and adjacent uses.

(2) Setback requirements.

- (a) In order to provide greater flexibility and innovation in project design than allowed in other zoning districts, no minimum setbacks are specified, provided the use meets the lot size requirements of sub-section E(1) above. Setbacks shall be determined by the Planning Board as part of the Site Plan review process. In determining the placement of structures on the site, the Planning Board shall consider the protection and preservation of unique and sensitive environmental and historic features; the maintenance of the general character of the shoreline, scenic views and vistas; and, the specific goals established for this district.
- (b) Setbacks for individual sites along the Erie Canal may vary depending upon such factors as:
 - [1] Adequate widths between buildings to accommodate pedestrianways for public access to the Canal.
 - [2] Variations in the width of state-owned land along the canal.
 - [3] The extent to which water-dependent uses need to be located adjacent to the waterway.

(3) Maximum building heights.

- (a) Maximum height for principal buildings on lots which abut the Canal shall not exceed forty (40) feet.
- (b) Maximum height for principal buildings on lots which do not abut the Canal shall not exceed ____feet.

What height would the Town like to see for buildings on properties which do not directly abut the Canal?

- (c) Maximum height for accessory buildings shall not exceed sixteen (16) feet.

(4) Maximum lot coverage.

All buildings, parking areas and other impervious surfaces shall not exceed seventy-five percent (75%) of lot coverage.

F. Additional requirements and standards.

- (1) Buildings located along the state-owned Canal pathway shall be required to have entrances which open onto the pathway.
- (2) Parking, fences, signs, and refuse container enclosures shall not detract from water views and are subject to regulations are contained in sub-sections 211-16, 211-17, 211-18 and 211-24, respectively.

(3) Docking requirements.

- (a) Residential: Maximum of one (1) boat slip per residence, with multiple slips clustered where feasible.
- (b) Commercial: Docking requirements are flexible based upon the following considerations: parking adequacy, canal width, navigation channel width, and water surface use.

G. Site plan and minor improvement plan.

Site plan review shall be conducted by the Planning Board in accordance with the procedures established in sub-section 211-37C(3). Minor improvement plan review shall be conducted by an authorized representative of the Planning Board in accordance with the procedures established in sub-section 211-37C(4).